

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

and

STATE OF NEW YORK,

*Plaintiffs,*

V.

TWIN AMERICA, LLC, et al.

*Defendants.*

Civil Action No.  
12-cv-8989 (ALC) (GWG)

ECF CASE

**PARTIES' JOINT MOTION TO FURTHER ADJOURN PRETRIAL  
DEADLINES TO FINALIZE SETTLEMENT**

Plaintiffs United States of America and State of New York (collectively, “Plaintiffs”) and Defendants Coach USA, Inc., International Bus Services, Inc., Twin America, LLC, CitySights LLC, and City Sights Twin, LLC (collectively, “Defendants,” and, together with Plaintiffs, the “Parties”), through their undersigned counsel, hereby jointly move this Court to adjourn the Amended Pretrial Scheduling Order (Docket No. 116) by 30 days to allow for further efforts to settle the above-captioned litigation.

1. As the Parties previously informed the Court, the Parties reached an agreement in principle to settle this case. On December 10, 2014, the Parties moved for a two-month extension of all pre-trial deadlines to allow the Parties to conserve resources while they finalized the settlement papers and pursued related regulatory approvals. The Court granted the Parties' motion and entered an Amended Pretrial Scheduling Order (Docket No. 116) that reset the

remaining pretrial deadlines and set a trial-ready date of April 27, 2015.

2. The Parties have made progress in their efforts to settle the case and remain committed to presenting a settlement to the Court that would resolve the litigation. Additional time, however, is necessary to pursue related regulatory approvals and finalize a settlement.

3. The Parties therefore request a 30-day extension of all deadlines in the Pretrial Scheduling Order. This extension will allow the Parties to continue to devote the resources necessary to settlement, and avoid the substantial expense associated with trial preparation that would become unnecessary if the Parties finalize the settlement. In the event the Parties need additional time or assistance from the Court to finalize the settlement, the Parties will notify the Court and request appropriate relief.

4. When the Parties file a settlement, the Court will have the opportunity to review it pursuant to the Antitrust Procedures and Penalties Act (“APPA”), 15 U.S.C. § 16(b)-(h), which applies to civil antitrust cases brought and settled by the United States. The APPA provides for a public notice and comment period, and requires the Court to determine whether the proposed settlement is in the public interest.

5. A Proposed Order Granting the Parties’ Joint Motion to Further Adjourn Pretrial Deadlines in Order to Finalize Settlement is attached hereto as Attachment 1.

6. A Proposed Amended Pretrial Scheduling Order reflecting the 30-day extension of remaining pre-trial deadlines is attached hereto as Attachment 2.

Dated: February 9, 2015

Respectfully submitted,

\_\_\_\_\_/s\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the Parties' Joint Motion to Further Adjourn Pretrial Deadlines to Finalize Settlement, and all attachments hereto, to be served via the Court's ECF System upon the following Parties:

For Defendants Twin America, LLC, CitySights LLC, and City Sights Twin, LLC:

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